



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PROBATION OFFICE**

**USDS SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: JUL 17 2008**

**Notification of Arrest of Offender Under Supervision**

Offender: Lopez, Adrian Docket Number: 08 CR 318 (PAC)

Sentencing Judge: Honorable Paul A. Crotty, U.S. District Judge

Date of Original Sentence: August 11, 2004

Original Offense: Conspiracy to Import MDMA (Ecstasy), 20 U.S.C. 963

Original Sentence: Imprisonment for a term of eighteen (18) months followed by a term of supervised release for a term of three (3) years.

Type of Supervision: Supervised Release Date Supervision Commenced: December 27, 2005

The U.S. Probation Officer has learned that the offender was arrested and charged with the following:

Date of Arrest:	Arresting Agency:	Charges:
2/26/08	NYCPD	Criminal Possession Controlled Substance 3 <sup>rd</sup> Degree PL 220.16, Class B Felony
		Criminal Possession of a Controlled Substance, 5 <sup>th</sup> Degree PL 220.06, Class D Felony
		Criminal Possession of a Controlled Substance, 7 <sup>th</sup> Degree PL 220.03, Class A Misdemeanor
6/6/08	NYCPD	Criminal Sale of a Controlled Substance, 3 <sup>rd</sup> Degree PL 220.39, Class B Felony

The charges are pending in the Bronx Supreme Court. Adrian Lopez was released on a \$5000 bond. On July 8, 2008, he was indicted on the charges of Criminal Possession of a Controlled Substance 3<sup>rd</sup> Degree in violation of PL 220.39 and Criminal Possession of a Controlled Substance In or Near School Grounds, PL 220.44. His next scheduled appearance is September 17, 2008. We have requested additional information from the District Attorney's office on several occasions and are awaiting to receive this information from them.

**MEMO ENDORSED**

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**U.S. PROBATION OFFICER ACTION AND RESPONSE**

**SUPERVISION ADJUSTMENT**

The offender was sentenced in the U.S. District Court for the Eastern District of Pennsylvania as indicated above. He was released from the Federal Bureau of Prisons on December 27, 2005, to the Southern District of New York and has been supervised by this district since being released to the community. The jurisdiction of this matter was subsequently transferred to the Southern District of New York and assigned to Your Honor.

Mr. Lopez has resided at 840 Hewitt Place, Apt. 2C, Bronx, New York, with his wife and their three children since his release. The offender and his wife have had ongoing difficulties in their relationship which has made his living arrangements continually tenuous. The offender's wife has asked him to leave on several occasions however, he has never left the residence for a prolonged period of time.

The offender has never worked while on supervision. He has received Social Security Disability due to an accident at work prior to his incarceration where he lost three fingers and has suffered from nerve damage. He has a pending lawsuit regarding this accident.

Since February 2006, Mr. Lopez has been attending SCAN New York, Bronx, NY, for outpatient substance abuse counseling. He has been tested for drug use on an ongoing basis at both the program and randomly at the U.S. Probation Office. Mr. Lopez submitted positive toxicologies for cocaine on June 12, 2006, September 5, 2006 and January 30, 2007. The offender's drug use was addressed by both the U.S. Probation Office and the program and he has not shown any indication of substance abuse since his last positive drug test. Mr. Lopez has consistently attended both individual and group sessions throughout supervision. In general, Mr. Lopez has been in compliance with the program, his reporting to our office and the conditions of supervision.

On February 26, 2008, the offender was arrested on new drug charges. At the time of his arrest he was considered to be in compliance with supervision and we were awaiting disposition of the case as the offender denied guilt in this offense. We then received notification that he was arrested again on June 6, 2008, again for drug charges. Although we received the information regarding his indictment, it is unclear which charges the indictment stems from. We have requested information from the District Attorney's office and are waiting to receive clarification on this matter.

RECOMMENDATION

The undersigned is respectfully recommending that no action be taken by the Court at this time, as the disposition of this criminal case is pending. We will continue to monitor the status of this matter. When we are able to obtain more information regarding these arrests, we will advise the Court. If the matter results in a conviction or is unresolved by the maximum expiration date of his supervision, December 26, 2008, a violation petition will be forwarded to the Court. We will notify Your Honor if additional supervision issues arise. Should Your Honor wish to take immediate action, we will promptly execute the order of the Court.

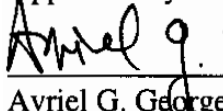
Respectfully submitted,

Chris J. Stanton  
Chief U.S. Probation Officer



Paula F. Dunn  
Sr. U.S. Probation Officer  
212-805-5080

Approved By:

 7/16/08  
Avriel G. George Date  
Supervising U.S. Probation Officer



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PROBATION OFFICE**

*Judicial Response*

**THE COURT ORDERS:**

☐ The Issuance of a Summons

The Offender is directed to appear as follows:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

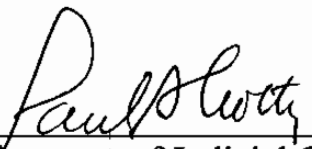
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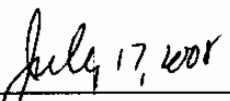
☐ Initiate Violation Proceedings

☐ Submit a Request for Modifying the Condition or Term of Supervision

☒ No action to be taken at this time

☐ Other:

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Date